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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/676,036	09/28/2000	Ramin Rezaifar	PA990594	9822
23696	7590	12/21/2004	EXAMINER	
Qualcomm Incorporated Patents Department 5775 Morehouse Drive San Diego, CA 92121-1714			STULBERGER, CAS P	
			ART UNIT	PAPER NUMBER
			2132	

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/676,036	REZAIIIFAR ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Cas Stulberger	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 26 July 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 2-6, 12 and 14 is/are pending in the application.
- 4a) Of the above claim(s) 1, 7-11, 13 and 15 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 2-6, 12 and 14 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>08/10/2004</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

1. Applicant's election of Group II (claims 2-6, 12, and 14) in the reply filed on 7/26/2004 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). The cancellation of a claim must be as set forth in 37 CFR 1.121(c).

*(Claims 1, 7-11, 13, and 15 are withdrawn (not cancelled).)*

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 2-6, 12, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,151,676 to Cuccia et al.

4. In regards to claim 2, 12, and 14, Cuccia discloses a random number generated at the server (Cuccia: Abstract). This meets the limitation of "generating a crypto-sync value at the transmission end." The random number is encrypted using and hashed (Cuccia: column 3, lines 28-32). This meets the limitation of "generating a first authentication signature from the crypto-sync value and an encryption key at the transmission end." The first signature is then sent to the user via the network (Cuccia: column 3, lines 36). This meets the limitation of "transmitting the crypto-sync value and the first authentication signature to the receiving end." A second signature is formed using the private key of the user. It is then verified if the second signature is

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for the same first random number as was sent by the server (Cuccia: column 3, lines 35-42).

This meets the limitation of “generating a second authentication signature from the crypto-sync value and the encryption key at the receiving end; incrementing the crypto-sync value at the receiving end if the first authentication signature and the second authentication signature match; and requesting an encryption key exchange if the first authentication signature and the second authentication signature do not match.”

5. In regards to claims 3 and 4, Cuccia discloses an ID (Cuccia: column 3, line 19) and using the system time (Cuccia: column 4, lines 21).

6. In regards to claims 5 and 6, Cuccia discloses a hash function (Cuccia: Abstract).

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cas Stulberger whose telephone number is (571) 272-3810. The examiner can normally be reached on Monday - Friday, 9:00A.M. - 6:00P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Gilberto Barron can be reached on (571) 272-3810. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CS



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